

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DAVID McKINNEY, individually,)
ANITA McKINNEY, individually, h/w,)
Plaintiffs,) C.A. NO. 06C-208-SLR
v.)
PAUL J. MELINARI, individually, and)
FINANCIAL SERVICE VEHICLE TRUST,)
a foreign corporation,)
Defendants.)

AFFIDAVIT

STATE OF :
SS:
COUNTY OF :
[REDACTED]

BE IT REMEMBERED, that on this 16th day of MAY, A.D., 2006,
personally appeared before me, the Subscriber, a Notary Public for the State and County
aforesaid, PAUL J. MOLINARI, who, being duly sworn according to law, did depose and say
that:

1. I am the defendant in the above matter and my last name is misspelled in the
Complaint. [REDACTED]
2. On the date of this accident, I was not an employee of Financial Service Vehicle Trust.
3. Financial Service Vehicle Trust is the entity from which the vehicle that I was driving
was leased.
4. At the time of this accident, I was not acting as agent, servant or employee for
Financial Service Vehicle Trust or any other entity or person. At the time of this accident, I was
returning to my residence after golfing.

5. I swear that all the statements made in this Affidavit are true and correct.

PAUL J. MOLINARI

SWORN TO AND SUBSCRIBED before me the day and year first above written.

MARY EVANS-CARBY
Notary Public

MARY EVANS-CARBY
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 7/10/2010

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ANSWER TO COMPLAINT ON BEHALF OF BOTH DEFENDANTS

1. No response required. To the extent a response is required, defendants admit diversity but deny the amount in controversy.
2. No response required.
3. No response required.
4. Admitted upon information and belief.
5. Admitted upon information and belief.
6. Admitted.
7. Admitted except that defendant's last name is Molinari not Melinari.

COUNT I

8. Denied.
9. Denied.

COUNT II

10. Admitted.
11. Admitted except that defendant's last name is Molinari, not Melinari.

12. Denied.

WHEREFORE, defendants demand judgment in their favor plus costs.

COUNT III

13. Denied.

14. Denied.

15. Denied.

WHEREFORE, defendants demand judgment in their favor plus costs.

COUNT IV

16. Denied.

17. Denied.

18. Denied.

WHEREFORE, defendants demand judgment in their favor plus costs.

COUNT V

19. Denied.

20. Denied.

WHEREFORE, defendants demand judgment in their favor plus costs.

MICHAEL A. PEDICONE, P.A.

By: /s/ Michael A. Pedicone
Michael A. Pedicone, Esquire (No. 2424)
109 W. 7th Street
P.O. Box 1395
Wilmington, DE 19899
(302) 652-7850
Attorney for Defendants

Dated: May 19, 2006

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CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2006, I electronically filed an Answer to Complaint on Behalf of Both Defendants with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following:

David P. Cline, Esquire (No 2681)
1300 N. Market Street
Suite 700
Wilmington, DE 19801
(302) 529-7848
Attorney for Plaintiffs

MICHAEL A. PEDICONE, P.A.

By: /s/ Michael A. Pedicone
Michael A. Pedicone, Esquire (No 2424)
109 W. 7th Street
P.O. Box 1395
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Dated: May 19, 2006